

# Exhibit H



Metropolitan Life Insurance Company  
Group Life Claims  
P.O. Box 6100  
Scranton, PA 18505

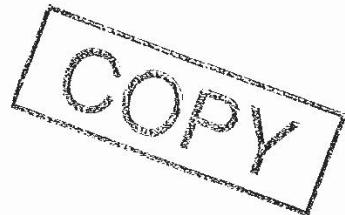
May 14, 2010

John Guerriero

**REDACTED**

Kevin Michael Gallagher

**REDACTED**



Re: Metropolitan Life Insurance Company  
Plan Participant: Gail A Guerrero  
Plan & Plan No.: University of North Carolina Health Care System Optional Life  
Insurance - 34360  
Amount: \$123,000  
Claim No.: 21004012633

Dear Claimants:

We have thoroughly reviewed your claims to the referenced benefits. Unfortunately, Mr. Guerriero's claim based on a beneficiary designation dated April 1<sup>st</sup> 2010 and Mr. Gallagher's claim based on a prior beneficiary designation are adverse to one another and raise questions of fact and law that cannot be resolved by MetLife without exposing the plan to the danger of double liability.

This Plan is regulated by the Employee Retirement Income Security Act of 1974, as amended (ERISA), 29 U.S.C. §§ 1001-1461, and MetLife is acting in its capacity as claims fiduciary for the plan.

The Plan certificate booklet states the following on page 60 under the section titled General Provisions:

**"Beneficiary"**

You may designate a Beneficiary in Your application or enrollment form. You may change Your Beneficiary at any time. To do so, You must send a Signed and dated, Written request to the Policyholder using a form satisfactory to Us. Your Written request to change the Beneficiary must be sent to the Policyholder within 30 days of the date You Sign such request.

You do not need the Beneficiary's consent to make a change. When We receive the change, it will take effect as of the date You Signed it. The change will not apply to any payment made in good faith by Us before the change request was recorded.

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If two or more Beneficiaries are designated and their shares are not specified, they will share the insurance equally. If there is no Beneficiary designated or no surviving designated Beneficiary at Your death, We may determine the Beneficiary to be one or more of the following who survive You:

- Your Spouse;
- Your child(ren);
- Your parent(s); or
- Your sibling(s).

Instead of making payment to any of the above, we may pay Your estate. Any payment made in good faith will discharge our liability to the extent of such payment."

Mr. Guerriero's claim is based on a beneficiary designation dated April 1<sup>st</sup> 2010 that names him as the primary beneficiary of Gail Guerriero's group term life insurance. Mr. Gallagher's claim is based on a prior beneficiary designation that he believes named Bridgett Gallagher, Gail's minor daughter, as the primary beneficiary of Gail's group term life insurance. In fact, the prior designation on file provided to us by the University of North Carolina Health Care System names Kevin Gallagher as the beneficiary.

Mr. Gallagher also alleges that while Gail Guerriero was of unsound mind due to her illness, undue influence was exerted on her in order to persuade her to change her beneficiary designation. MetLife cannot make this determination in its role as the impartial claim fiduciary.

MetLife is therefore required by law to initiate what is called an interpleader action to permit a court to decide between the claims. Before doing so, however, MetLife will give you the opportunity to try to resolve the matter amicably in order to preserve the benefits from litigation costs and fees. Please inform this office in writing within thirty days of the date of this letter whether you believe you can reach an amicable compromise of your claims. If you cannot reach an agreement, or you do not timely contact this office in writing, you will be notified of the lawsuit in due course. If you can reach an agreement, you may submit a duly-executed settlement agreement setting forth the details of your compromise regarding the referenced benefit plan sufficient to permit MetLife to draw the checks correctly, and also releasing any and all claims against MetLife, the University of North Carolina Health Care System, and the University of North Carolina Health Care System Benefit Plan. If these documents are acceptable to MetLife, the proceeds will be paid in accordance with your compromise. If they are not, we may ask you to sign an additional release.

If you have any questions, please contact our office at 800-638-6420.

Sincerely,

MetLife Group Life Claims Operations



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